

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### EXTRAORDINARY No. 3

#### GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

#### Notification

8/3/2005-LA

The Goa Town and Country Planning (Amendment) Ordinance, 2005 (Ordinance No. 3 of 2005), which has been promulgated by the Governor of Goa on 29-9-2005, is hereby published for general information of the public.

Sharad G. Marathe, Under Secretary (Drafting).

Panaji, 3rd October, 2005.

#### THE GOA TOWN AND COUNTRY PLANNING (AMENDMENT) ORDINANCE, 2005

(Ordinance No. 3 of 2005)

Promulgated by the Governor of Goa in the Fifty-sixth Year of the Republic of India.

An Ordinance further to amend the Goa, Daman and Diu Town and Country Planning Act, 1974.

Whereas the Legislature of the State of Goa is not in session and the Governor of Goa is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Goa is pleased to promulgate the following Ordinance, namely:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Goa Town and Country Planning (Amendment) Ordinance, 2005.

(2) It shall come into force at once.

2. *Amendment of section 17.*— In the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) (hereinafter referred to as the "principal Act"), the existing provision of section 17 shall be numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

"(2) (i) Notwithstanding anything contained in sub-section (1), the Government may, upon an application filed by any holder of land, amend/alter, any part of the regional plan from time to time, and for such purpose, the provisions of this Act relating to the preparation of the regional plan shall, as far as may be, apply to the amendment/alteration of the regional plan:

Provided however that the period for inspecting and inviting comments from the public shall not be less than fifteen days.

(ii) The regional plan shall stand amended/ altered to the extent as permitted by the Government from time to time".

3. *Amendment of section 29.*— In section 29 of the principal Act,—

(i) the existing provision thereof shall be numbered as sub-section (1) thereof and, in sub-section (1) as so numbered, after the proviso, the following proviso shall be inserted, namely:—

"Provided further that the Government may, upon an application filed by any holder of land, amend/alter, any part of the Outline Development Plan from time to time, and for such purpose, the provisions of this Act relating to the preparation of the Outline Development Plan shall, as far as may be, apply to the amendment/alteration of the Outline Development Plan:

Provided however that the period for inspecting and inviting comments from the public shall not be less than fifteen days";

(ii) after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

"(2) The Outline Development Plan shall stand amended/alterd to the extent as permitted by the Government from time to time."

4. *Amendment of section 33.*— In section 33 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) If a Development Plan is not prepared, published and submitted to the Government by a Planning and Development Authority within the period specified in section 29 or section 31,

as the case may be, or within the period extended under the proviso to the said sections, or if the Government is of the opinion that such a plan is needed to be prepared by the Chief Town Planner for any planning or non-planning area, the Government may authorize the Chief Town Planner to prepare such plan and direct the cost thereof to be recovered from the Planning and Development Authority concerned out of its funds, if the plan prepared is in respect of a planning area."

5. *Amendment of section 56.*— In section 56 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:—

"(IA) If the Government at any time feels it necessary so to do, the Government may, by order, direct the Chief Town Planner to make one or more town planning schemes for any area and thereupon the provisions of this Act relating to the preparation of such Schemes shall, as far as may be, apply for the preparation of such Schemes by the Chief Town Planner:

Provided however that in respect of such Schemes prepared by the Chief Town Planner, the procedures followed and powers exercised by the Planning and Development Authorities in respect of Schemes prepared by them, shall be followed and exercised by the Chief Town Planner."

S. C. JAMIR,  
Governor of Goa.

Place: Panaji

Date: 29-9-2005.